

## **REMARKS**

Claims 1-27 stand rejected. Claims 1-27 are pending. Applicant respectfully requests further examination and reconsideration in view of the remarks set forth below. Applicant believes that the amendments herein to the patent application do not add new matter to it.

### **35 U.S.C. §103 Rejections**

Claims 1-4, 7-14, 17-21, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elms et al. (US 2002/0072992) in view of Chack (US 6,438,599). Claims 5-6, 15-16, 22-23, and 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Elms et al. in view of Chack and further in view of Walker et al. (US 2002/0169626). Applicant respectfully submits that the embodiments of the present invention as recited in Claims 1-4, 7-14, 17-21, and 24 are neither anticipated nor rendered obvious by Elms et al. (hereinafter referred to as Elms), in view of Chack. Applicant also respectfully submits that the embodiments of the present invention as recited in Claims 5-6, 15-16, 22-23, and 25-27 are neither anticipated nor rendered obvious by Elms, in view of Chack, and further in view of Walker et al. (hereinafter referred to as Walker).

### **Claims 1-4, 7-14, 17-21, and 24**

Applicant respectfully asserts that subject matter of currently amended independent Claim 1 is not shown or suggested by Elms and Chack, alone or in combination. For instance, currently amended independent Claim 1 recites a method that

includes “upon request, providing current market information of a business deal to said first party and said second party,” which is not shown or suggested by Elms. Applicant understands Elms to be directed toward “a web-based utility that introduces a first party, e.g., a buyer, to a second party, e.g., a vendor, and facilitates a transaction between the buyer and the vendor,” and “also provides such a utility that enables the buyer and vendor to engage in a dialogue with one another” (Paragraph 0008 and 0009). However, no where in Chack is taught “upon request, providing current market information of a business deal to said first party and said second party.”

Furthermore, Applicant respectfully contends that Chack does not overcome the deficiencies of Elms disclosed above. Applicant understands Chack to be directed toward “a system for communicating information, including visual data, between two systems, devices or individuals.” (Col. 2, Line 14-16). However, no where in Chack is taught “upon request, providing current market information of a business deal to said first party and said second party.” Since Elms and Chack, alone or in combination, fail to teach or suggest at least one element recited in currently amended independent Claim 1, Applicant respectfully contends that currently amended independent Claim 1 is not rendered obvious by Elms and Chack. Therefore, Applicant respectfully submits that currently amended independent Claim 1 is allowable over Elms and Chack.

Since Claims 2-4 and 7-10 depend from currently amended independent Claim 1, Applicant believes that Claims 2-4 and 7-10 are also allowable over Elms and Chack.

Currently amended independent Claim 11 recites subject matter similar to that of currently amended independent Claim 1 mentioned above. Thus, currently amended independent Claim 11 overcomes the rejections under 35 U.S.C. 103(a) based on rationale similar to that described above with reference to currently amended independent Claim 1. Since Claims 12-14 and 17 depend from currently amended independent Claim 11, Applicant believes that Claims 12-14 and 17 are also allowable over Elms and Chack.

Currently amended independent Claim 18 recites subject matter similar to that of amended independent Claim 1 mentioned above. Thus, independent Claim 18 overcomes the rejection under 35 U.S.C. 103(a) based on rationale similar to that described above with reference to amended Claim 1. Since Claims 19-21 and 24 depend from independent Claim 18, Applicant believes that Claims 19-21 and 24 are also allowable over Elms and Chack.

Claims 5-6, 15-16, 22-23, and 25-27

With regards to Claims 5-6, 15-16, 22-23, and 25-27, Applicant respectfully contends that Walker does not overcome the deficiencies of Elms and Chack disclosed above. Applicant understands Walker to be directed toward allowing “prospective customers to find a merchant and receive a reference from a reference provider who has used the merchant in the past” (Paragraph 0024). However, no where in Walker is taught “upon request, providing current market information of a business deal to said first party and said second party.” Thus, Applicant respectfully asserts that Walker does not teach or suggest at least one element recited in amended Claims, 1, 11, and 18. Since

Elms, Chack, and Walker, alone or in combination, fail to teach or suggest at least one element recited in currently amended independent Claims 1, 11, and 18, from which Claims 5-6, 15-16, and 22-23 depend, respectively, Applicant respectfully contends that Claims 5-6, 15-16, and 22-23 are not rendered obvious by Elms, Chack, and Walker. Therefore, Applicant respectfully submits that Claims 5-6, 15-16, and 22-23 are allowable over Elms, Chack, and Walker. Furthermore, as Claim 25 depends on currently amended independent Claim 1, Claim 26 depends on currently amended independent Claim 11, and Claim 27 depends on currently amended independent Claim 18, Applicant respectfully submits that Claims 25, 26, and 27 are allowable over Elms, Chack, and Walker.

## SUMMARY

In view of the foregoing remarks, the Applicant respectfully submits that the pending claims in the instant patent application are in condition for allowance. The Applicant respectfully requests reconsideration of the Application and allowance of the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact James Hao at the below listed phone number.

Respectfully submitted,  
WAGNER, MURABITO & HAO LLP

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James Hao

Address:

Registration No. 36,398  
Two North Market Street  
Third Floor  
San Jose, California 95113  
(408) 938-9060 Voice  
(408) 938-9069 Facsimile

Telephone: